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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,183	11/09/2001	Kenneth W. Henry	170-00-004	2849

7590 10/06/2003

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EXAMINER

BROADHEAD, BRIAN J

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 10/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/053,183

Applicant(s)

HENRY ET AL.

Examiner

Brian J. Broadhead

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-17 is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-12 and 14 is/are rejected.
- 7) ☒ Claim(s) 8, 9 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 through 7, 10 through 12, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Lawrence et al., 5033010.

3. As per claims 1, 2, 3, and 12, Lawrence et al. disclose a computer chip positioned with a line replaceable unit and in communication with a smart data memory module on lines 16-20, on column 4; said smart data memory module positioned with a machine operating with the line replaceable unit and in communication with an electronic control unit on lines 43-45, on column 4; the electronic control unit is in communication with a performance monitoring system on lines 55-60, on column 7; and the performance monitoring system comprises an aircraft communication address reporting system and a trend monitoring system on lines 55-60, on column 7.

4. As per claims 4 and 5, Lawrence et al. disclose the computer chip receives and stores a set of as built data and operational data for said line replaceable unit on lines 45-50, on column 14.

5. As per claims 6 and 7, Lawrence et al. disclose the smart data memory module receives and stores a set of as built data and operational data from the line replaceable unit on lines 60-65, on column 4.

6. As per claims 10, 11, and 14, Lawrence et al. disclose the set of operational data comprising an hours accumulated, a number of starts accumulated and a built in test results that have occurred during specified time period wherein each data set is identified as to time of occurrence on lines 1-15, on column 5.

Allowable Subject Matter

7. Claims 15-17 are allowed.

8. Claims 8, 9 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose the set of as built data includes place of manufacture; and comparing the received part number and the serial number with the data stored in the smart memory module.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Adachi et al., US 2003/0093204, disclose method for managing construction machine and arithmetic processing apparatus.

12. Bangert et al., US 2003/0135310, disclose aircraft engine reliability business model.

13. Adibhatla et al., US 2002/0193933, disclose apparatus for monitoring gas turbine engine operation.

14. Sinex, US 2002/0143445, discloses maintenance tracking system.
15. Nada, US 2002/0002430, discloses abnormality diagnostic system and abnormality diagnostic data storing method.
16. Hozuka et al., US 2001/0037168, disclose vehicle information communication system and method capable of communicating with external management station.
17. Razavi et al., US 2001/0033225, disclose system and method for collecting vehicle information.
18. Wacker et al., 6622070, disclose diagnostic device for monitoring a sub-system in a motor vehicle.
19. Rangarajan et al., 6363332, disclose method and apparatus for predicting a fault condition using non-linear curve fitting techniques.
20. Chou et al., 6330499, disclose system and method for vehicle diagnostics and health monitoring.
21. Pierro et al., 6301531, disclose vehicle maintenance management system and method.
22. Bliley et al., 6243628, disclose system and method for predicting impending failures in a locomotive.
23. Ng, 5445347, discloses automated wireless preventive maintenance monitoring system for maglev trains and other vehicles.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on 703-308-3873. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

BJB


WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
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